

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

LAQUETTA DUKES, §  
Plaintiff, §  
§  
v. § NO. 4:12CV56  
§  
ZIMMER, INC. ET AL., §  
Defendants. §

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE AND  
ORDER DISMISSING CASE WITHOUT PREJUDICE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On February 7, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that the above titled and numbered cause of action should be **DISMISSED WITHOUT PREJUDICE**.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court. Therefore, the above titled and numbered cause of action is **DISMISSED WITHOUT PREJUDICE** and shall be closed on the court's docket.

**IT IS SO ORDERED.**

**SIGNED this the 22nd day of August, 2013.**

  
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RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE